IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5945 OF 2004

Shankar Trimbak Barse ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.P.M.Chakurkar for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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**CORAM: A.M.KHANWILKAR, J.**

**JANUARY 19, 2005.**

**P.C.**

1. Heard Counsel for the parties.

2. Mr.Konde-Deshmukh, learned A.P.P. fairly accepts that co-accused (accused No.4) has been granted bail by this Court on 15th March 2004. The role of the Applicant is that he was party to the conspiracy, consequent to which, offence has been committed. No specific role has been assigned to the Applicant. The Applicant has been implicated

on the basis of statement made by co-accused (accused No.1) naming the Applicant being party to the conspiracy. Besides, learned A.P.P. points out that the Applicant himself has accepted the fact that he was party to the conspiracy in his statement recorded while in custody in connection with some other offence registered at Wagle Estate Police Station.

3. Be that as it may, as co-accused has been granted bail, the Applicant also deserves to be enlarged on bail on conditions to be specified hereinafter, which are acceptable to the Applicant, as is stated by the Counsel for the Applicant, on instructions. The same are as follows:

(a) The Applicant is enlarged on bail in connection with C.R.No.I-25/04 registered with Taloja Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty-five Thousand) with two local sureties in the like amount.

(b) The Applicant shall not enter the District

of Bombay, Thane and Raigad during the pendency of the trial, except for attending Court cases either at Thane or at Alibag, as the case may be, or as and when required by the Investigating Officer in connection with the investigation of present offence or any other offence. This condition is imposed, having regard to the fact that the Applicant has been named as accused in an offence registered at Wagle Estate Police Station, while absconding after commission of the present offence, which occurred at Taloja, District Raigad.

(c) The Applicant shall inform the place of his residence to the Investigating Officer as well as the Trial Court within one week from the date of release. Besides, the Applicant shall regularly report to the nearest Police Station once in fortnight on Saturday between 10.00 a.m. and 1.00 p.m.

(d) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(e) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

. Application disposed of on the above terms.

A.M.KHANWILKAR, J.